

House Bill 813 (AS PASSED HOUSE AND SENATE)

By: Representative Howard of the 121st

A BILL TO BE ENTITLED

AN ACT

To amend an Act creating the Augusta-Richmond County Coliseum Authority, approved April 17, 1973 (Ga. L. 1973, p. 3042), as amended, particularly by an Act approved March 23, 1977 (Ga. L. 1977, p. 3300), and an Act approved March 16, 1993 (Ga. L. 1993, p. 4087), so as to change the membership of the Authority; to provide for the terms and appointment of members of the Authority; to provide for qualifications of the members of the Authority; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Augusta-Richmond County Coliseum Authority, approved April 17, 1973 (Ga. L. 1973, p. 3042), as amended, particularly by an Act approved March 23, 1977 (Ga. L. 1977, p. 3300), and an Act approved March 16, 1993 (Ga. L. 1993, p. 4087), is amended by striking Section 2 and inserting in its place a new Section 2 to read as follows:

"SECTION 2.

(a) There is created a body corporate and politic to be known as the Augusta-Richmond County Coliseum Authority which shall be deemed to be a political subdivision of the State of Georgia and a public corporation and by that name, style, and title said body may contract and be contracted with, sue and be sued, implead and be impleaded, and complain and defend in all courts of law and equity. Beginning on the day after the date this section becomes effective in 2009, the Authority shall consist of seven members to be appointed as follows:

(1) Six members shall be appointed by the Augusta-Richmond County Commission, with the five commissioners of Super District 9 entitled to appoint three members and the five commissioners of Super District 10 entitled to appoint three members; and

(2) One member shall be appointed by the legislative delegation which shall consist of all members of the General Assembly representing all or a portion of Richmond County. The member appointed by the legislative delegation shall be the chairperson of the Authority.

In order to be qualified to serve on the Authority, an appointee shall be a resident of Richmond County and shall have experience in business.

(b) Beginning on the day after the date this section becomes effective in 2009, the appointees of the county commission shall serve a term concurrent with the term of the Super District commissioner from the Super District that made the appointment. The appointee from the legislative delegation shall serve a two-year term, except as otherwise specified in this section. In order for an appointee of the county commission to be removed from the Authority, seven members of the Augusta-Richmond County Commission, including four members from the Super District that made the appointment, without the necessity of a showing of cause, must vote for the removal of the appointee.

(c) The members of the Authority in office on the day before the date this section becomes effective in 2009 shall not serve until the regular expiration of the terms to which such members were appointed, and the terms of such members shall expire at 11:59 P.M. on the date this section becomes effective in 2009.

(d) As soon as practicable on or after the date this section becomes effective in 2009, the Augusta-Richmond County Commission shall appoint such members provided for in this section for terms beginning on the day after such date to replace the previously appointed members of the Authority. All appointees to the Authority shall serve until their respective successors are appointed and qualified.

(e) Appointed members of the Authority may be reappointed only after taking at least a one-year break between appointments.

(f) As soon as practicable on or after the date this section becomes effective in 2009, the legislative delegation shall appoint such member provided for in this section for a term beginning on the day after such date and ending on December 31, 2010, or until his or her respective successor is appointed and qualified. Subsequent appointees of the legislative delegation shall serve two-year terms or until his or her respective successor is appointed and qualified.

(g) Immediately after their appointment, the members of the Augusta-Richmond County Coliseum Authority shall enter upon their duties. They shall all attend an orientation and training course approved by the Augusta-Richmond County Commission. They shall elect one of their number as vice chairperson, and may also elect a secretary and treasurer who need not necessarily be a member of the Augusta-Richmond County Coliseum Authority. The vice chairperson and secretary and treasurer shall serve for a period of one year and

until their successors are appointed and qualified. Four members of the Augusta-Richmond County Coliseum Authority shall constitute a quorum. The chairperson shall be a nonvoting member of the Authority, except he or she may vote to break a tie vote by the other members. The chairperson shall form committees and appoint members thereto as he or she deems necessary.

(h) As soon as practicable after the date this section becomes effective in 2009, the members of the Augusta-Richmond County Coliseum Authority shall cause to be published a manual governing the acceptable business practices and management techniques to be followed by all members during their service on the Authority. This manual shall also include a statement of the purpose of the Augusta-Richmond County Coliseum Authority and a statement of the vision for the future of the Authority.

(i) In the event of a vacancy by reason of death, disqualification, removal, resignation, or other reason, the body which appointed such member shall appoint a person to serve the remainder of the term of such member. No vacancy on the Augusta-Richmond County Coliseum Authority shall impair the right of the quorum to exercise all their rights and to perform all of the duties of the Authority.

(j) The members of the Augusta-Richmond County Coliseum Authority shall serve without compensation provided that all members shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties. The Authority shall make rules and regulations governing the procedures to be followed in conducting the business of the Authority. It shall have perpetual existence."

SECTION 2.

This Act shall become effective on May 31, 2009, or upon its approval by the Governor or upon its becoming law without such approval, whichever last occurs.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.